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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA, ) NO. CR 15-00051 JST  
Plaintiff, )  
v. ) STIPULATION AND [PROPOSED] ORDER  
THANH P. TRUONG, and ) CONTINUING HEARING DATE AND  
JEFFREY MENIES, ) EXCLUDING TIME FROM JANUARY 22, 2016  
Defendants. ) TO FEBRUARY 26, 2016

The defendants, Thanh P. Truong, represented by Angela Hansen, and Jeffrey Mennies, represented by Garrick Lew, and the government, represented by Scott D. Joiner, Assistant United States Attorney, hereby stipulate and agree as follows:

1. The matter is currently set for change of plea/motions setting on January 22, 2016 at 9:30 AM in Oakland.

2. Counsel for the government has a scheduling conflict because he is scheduled to appear in a separate matter for a motions hearing in an eleven-defendant RICO case that was specially set for the same time before the Hon. William H. Orrick in San Francisco (CR 13-00764 WHO).

1       3.     The courtroom deputy clerk provided alternate dates in the above-captioned matter to  
2 counsel for the government. The parties have conferred and agree that February 26, 2016, at 9:30 AM is  
3 the best available date given the respective schedules of counsel and ongoing discovery.

4       4.     The parties therefore jointly request that the Court continue the January 22, 2016  
5 proceeding until February 26, 2016, at 9:30 AM.

6       5.     The Court previously excluded time under the Speedy Trial Act through and including  
7 January 22, 2016, for the effective preparation of counsel.

8       6.     The parties agree that in light of the availability of counsel and ongoing discovery, it  
9 remains appropriate to exclude time under the Speedy Trial Act for effective preparation and continuity  
10 of counsel through and including the date of the newly requested hearing date of February 26, 2016.  
11 The parties therefore jointly request that the Court enter the Proposed Order below continuing the  
12 hearing date and excluding time.

13 **SO STIPULATED.**

14 Date: January 19, 2016

BRIAN J. STRETCH  
Acting United States Attorney

16 By: /s/  
17 SCOTT D. JOINER  
18 Assistant United States Attorney

19 Date: January 19, 2016

20 /s/  
21 ANGELA HANSEN  
22 Attorney for Thanh P. Truong

23 Date: January 19, 2016

24 /s/  
25 GARRICK S. LEW  
26 Attorney for Jeffrey Mennies

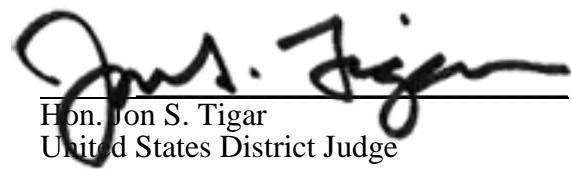
1                   **[PROPOSED] ORDER**

2                   Pursuant to stipulation, IT IS HEREBY ORDERED that the court proceeding currently  
3 scheduled on January 22, 2016, be continued to February 26, 2016, at 9:30 AM.

4                   Based upon the representation of counsel and for good cause shown, the Court finds that failing  
5 to exclude the time between January 22, 2016, and February 26, 2016, would unreasonably deny the  
6 defendant continuity of counsel and would deny counsel the reasonable time necessary for effective  
7 preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The  
8 Court further finds that the ends of justice served by excluding the time between January 22, 2016, and  
9 February 26, 2016, from computation under the Speedy Trial Act outweigh the best interests of the  
10 public and the defendant in a speedy trial.

11                  Therefore, IT IS HEREBY ORDERED that the time between January 22, 2016 through and  
12 including February 26, 2016, shall be excluded from computation under the Speedy Trial Act. 18  
13 U.S.C. § 3161(h)(7)(A) and (B)(iv).

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16 DATED: January 20, 2016\_\_\_\_\_



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Hon. Jon S. Tigar  
United States District Judge